

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re

BANKRUPTCY NO.

Debtor.

TRUSTEE'S MOTION TO DISMISS CASE AND ORDER

- ☐ The undersigned Trustee respectfully represents that:
- ☐ More than fifteen (15) days have elapsed since the filing of the petition and the debtor has failed to timely file either schedules, statements and/or plan required pursuant to Fed. R. Bankr. P. 1007(b) or a motion for extension of time pursuant to Fed. R. Bankr. P. 1007(a)(4).
- ☐ The debtor failed to appear and testify at the regularly scheduled and duly noticed First Meeting of Creditors held on _____ pursuant to 11 U.S.C. § 341(a) or any continued Meeting of Creditors scheduled thereafter.
- ☐ If checked, this case was filed by the filing of a joint petition and this motion applies to only one of the debtors, namely: _____.
- Wherefore, the Trustee moves that the within case be dismissed without prejudice.

Dated:

☐ Chapter 7 Trustee
 ☐ Chapter 13 Trustee
ORDER

IT IS HEREBY ORDERED AND ADJUDGED THAT:

1. The above-entitled case is dismissed without prejudice as to the above-named debtor only.
2. All related adversary proceedings which are pending are also dismissed subject to the provisions of Local Bankruptcy Rule 7041-3.
3. All stays now in effect for this case are vacated and the provisions of 11 U.S.C. § 349 shall hereafter apply.

DATED:

Judge, United States Bankruptcy Court

Signature by the attorney constitutes a certification under Fed. R. of Bankr. P. 9011 that the relief in the order is the relief granted by the court.

Submitted by:

By: _____
Trustee